

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

G.A. NARANJO,

Plaintiff,

v.

WARDEN JAMES F. SHERMAN,

Defendant.

Civil Action No. 05-106 Erie

MEMORANDUM ORDER

_____Plaintiff's civil rights complaint was received by the Clerk of Court on April 5, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on December 6, 2006, recommended that the Plaintiff's action be dismissed for failure to prosecute. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at FCI McKean, where he is incarcerated, and on the Defendant. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 27th Day of December, 2006;

IT IS HEREBY ORDERED that the instant civil rights action is dismissed for Plaintiff's failure to prosecute.

The report and recommendation of Magistrate Judge Baxter, dated December 6, 2006, is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN

Sean J. McLaughlin
United States District Judge

cc: all parties of record
U.S. Magistrate Judge Baxter